UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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WELLS FARGO BANK, N.A.

: Civil Action No.: 1:20-cv-05455

Plaintiff,

-against-

: PROPOSED DEFAULT JUDGMENT

STARX MOTORS LLC, JEAN S. SMITH, BENJAMIN SCHRAGE, JACQUES A. HORN, GENE T. OLIVER, MICHAEL A. CHAVEZ and JACQUELINE CHAVEZ

Defendants.

Defendants.

This action having been commenced on July 15, 2020 by Plaintiff Wells Fargo Bank, N.A. ("Wells Fargo"), a copy of the summons and complaint having been served on Defendant Starx Motors LLC ("Starx Motors") by personally serving Starx Motors through its registered agent on September 17, 2020, proof of service having been filed on October 9, 2020, Starx Motors not having answered the Complaint, and Starx Motors' time for answering the Complaint having expired on October 8, 2020, the Clerk having entered default against Starx Motors on October 20, 2020; a copy of the summons and complaint having been served on Defendants Jacqueline Chavez and Michael A. Chavez (the "Chavezes") by personally serving the Chavezes on August 15, 2020, proof of service having been filed on September 1, 2020, the Chavezes not having answered the Complaint, and the Chavezes time for answering the Complaint having expired on September 8, 2020, the Clerk having entered default against the Chavezes on October 20, 2020; and Wells Fargo having made a separate motion (ECF Nos. 47-49, the "Wells Fargo Interpleader Motion") requesting that the Court issue an Order directing the Clerk of Court to accept the interpleader

funds in the amount of \$64,151.21 (the "Restrained Proceeds") less Wells Fargo's reasonable

attorney's fees and costs, it is hereby

ORDERED that Wells Fargo has judgment against Defendants Starx Motors and the Chavezes;

and it is further

ORDERED that upon the deposit of the subject Restrained Proceeds less Wells Fargo's reasonable

attorney's fees and costs, as permitted under applicable law and the Wells Fargo Deposit

Agreement, Wells Fargo will be dismissed from this action.

Dated: New York, New York

November ___, 2020

HON. ALVIN K. HELLERSTEIN, USDJ